

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. **(currently amended)** An oral dosage form, comprising :

a bi-layer tablet consisting of a first layer having a first surface and an opposing second surface and a second layer having a first surface and an opposing second surface, wherein said second surface of said first layer physically contacts said first surface of said second layer;

an encapsulant disposed over said bi-layer tablet;

wherein said first layer comprises an orally therapeutically effective dose of oxycodone HCl in combination with dextromethorphan HBr, wherein the ratio of oxycodone HCl to dextromethorphan HBr is 1:5 by weight;

wherein said second layer comprises carboxy methyl cellulose, sodium chloride, and iron oxide;

and wherein said oral dosage form does not include an opioid antagonist.

2. **(original)** The oral dosage of claim 1, wherein said encapsulant comprises an outer surface and a first aperture portion extending inwardly through said outer surface and through said encapsulant; and

wherein said first layer includes a second aperture portion extending through said first surface inwardly into said first layer.

3. **(original)** The oral dosage of claim 1, wherein said first layer comprises about 9 milligrams of oxycodone and about 45 milligrams dextromethorphan.

4. **(original)** The oral dosage of claim 1, wherein said first layer comprises about 5 milligrams of oxycodone and about 25 milligrams dextromethorphan.

5. **(original)** The oral dosage of claim 4, further comprising polyvinylpyrrolidone dispersed in said first layer.

6. **(original)** The oral dosage of claim 5, further comprising:

a carbomer disposed in both said first layer and said second layer;

magnesium stearate disposed in both said first layer and said second layer; and

microcrystalline cellulose disposed in both said first layer and said second layer.

7. **(withdrawn)** A method to provide pain relief to a patient in need thereof, comprising preparing an oral dosage form comprising:

a bi-layer tablet consisting of a first layer having a first surface and an opposing second surface and a second layer having a first surface and an opposing second surface, wherein said second surface of said first layer physically contacts said first surface of said second layer;

an encapsulant disposed over said bi-layer tablet, wherein said encapsulant comprises an outer surface;

wherein said first layer comprises an orally therapeutically effective dose of oxycodone HCl in combination with dextromethorphan HBr, wherein the ratio of oxycodone HCl to dextromethorphan HBr is 1:5 by weight;

and wherein said oral dosage form does not include an opioid antagonist.

8. **(withdrawn)** The method of claim 7, wherein said encapsulant comprises an outer surface, further comprising the steps of:

forming said encapsulant to include a first aperture extending inwardly through said

outer surface and through said encapsulant;

forming said first surface of said first layer to include a second aperture extending through said first surface inwardly into said first layer.

9. **(withdrawn)** The method of claim 7, further comprising the steps of:

dispersing about 9 milligrams of oxycodone in said first layer; and

dispersing about 45 milligrams dextromethorphan in said first layer.

10. **(withdrawn)** The method of claim 7, further comprising the steps of:

dispersing about 5 milligrams of oxycodone in said first layer; and

dispersing about 25 milligrams dextromethorphan in said first layer.

11. **(withdrawn)** The method of claim 10, further comprising the step of dispersing polyvinylpyrrolidone in said first layer.

12. **(withdrawn)** The method of claim 11, further comprising the steps of:

dispersing a carbomer in both said first layer and said second layer;

dispersing magnesium stearate in both said first layer and said second layer; and

dispersing microcrystalline cellulose in both said first layer and said second layer.

13. **(withdrawn)** A method to prepare an oral dosage form, comprising the steps of:

providing oxycodone;

providing dextromethorphan;

forming a bi-layer tablet consisting of a first layer having a first surface and an opposing second surface and a second layer having a first surface and an opposing second surface, wherein said second surface of said first layer physically contacts said first surface of said second layer;

providing an encapsulant;

coating said bi-layer table with said encapsulant, wherein said encapsulant comprises an outer surface;

wherein said first layer comprises an orally therapeutically effective dose of oxycodone HCl in combination with dextromethorphan HBr, wherein the ratio of oxycodone HCl to dextromethorphan HBr is 1:5 by weight;

and wherein said oral dosage form does not include an opioid antagonist.

14. **(withdrawn)** The method of claim 13, wherein said forming a bi-layer table step further comprises forming said first surface of said first layer to include a first aperture portion extending through said first surface inwardly into said first layer; and

wherein said coating step further includes forming a second aperture portion extending inwardly through said outer surface and through said encapsulant to communicate with said first aperture portion.

15. **(withdrawn)** The method of claim 13, further comprising the steps of:
dispersing about 9 milligrams of oxycodone in said first layer; and
dispersing about 45 milligrams dextromethorphan in said first layer.

16. **(withdrawn)** The method of claim 13, further comprising the steps of:
dispersing about 5 milligrams of oxycodone in said first layer; and
dispersing about 25 milligrams dextromethorphan in said first layer.

17. **(withdrawn)** The method of claim 4, further comprising the step of dispersing polyvinylpyrrolidone in said first layer.

18. **(withdrawn)** The method of claim 17, further comprising:

dispersing a carbomer in both said first layer and said second layer;
dispersing magnesium stearate in both said first layer and said second layer; and
dispersing microcrystalline cellulose in both said first layer and said second layer.